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**PATENT**  
Attorney Docket No.: A-1-7

on February 26, 1999  
By W. Baker

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In re application of:

Philip E. Eggers et al.

Application No.: *unassigned*

Filed: *herewith*

For: SYSTEMS AND METHOD FOR  
ELECTROSURGICAL TISSUE  
TREATMENT IN THE PRESENCE  
OF ELECTRICALLY CONDUCTIVE  
FLUID

Assistant Commissioner for Patents  
Washington, D.C. 20231

Examiner:

Art Unit:

REVOCATION AND SUBSTITUTION  
OF POWER OF ATTORNEY UNDER  
37 CFR § 1.36

Sir:

Pursuant to 37 CFR § 1.36, ArthroCare Corporation revokes all previous powers of attorney and hereby appoints the following to prosecute this application and transact all business in the Patent and Trademark Office connected therewith:

**John T. Raffle**  
**Registration No. 38,585**

Please direct all future correspondence regarding the subject application to:

**John T. Raffle**  
**ArthroCare Corporation**  
**595 N. Pastoria Avenue**  
**Sunnyvale, CA 94086**  
**(408) 736-0224 ph**  
**(408) 736-0226 fx**

ArthroCare Corporation

Date: 2/25/99

Michael A. Baker  
Michael A. Baker  
President and CEO

## COMBINED DECLARATION FOR PATENT APPLICATION AND POWER OF ATTORNEY

Includes Reference to PCT International Applications.

ATTORNEY'S DOCKET NUMBER

16238-4-4

As a below named inventor, I hereby declare that:

My residence, post office address and citizenship are as stated below next to my name.

I believe I am the original, first and sole inventor (if only one name is listed below) or an original, first and joint inventor (if plural names are listed below) of the subject matter which is claimed and for which a patent is sought on the invention entitled:

METHODS AND APPARATUS FOR SURGICAL CUTTING

the specification of which (check only one item below):

☐ is attached hereto☐ was filed as United States application

Serial No. \_\_\_\_\_

on \_\_\_\_\_

and was amended

on \_\_\_\_\_ (if applicable).

☒ was filed as PCT international applicationNumber PCT/US94/05168on 10 May 1994

and was amended under PCT Article 19

on \_\_\_\_\_ (if applicable).

I hereby state that I have reviewed and understand the contents of the above-identified specification, including the claims, as amended by any amendment referred to above.

I acknowledge the duty to disclose information which is material to the examination of this application in accordance with Title 37, Code of Federal Regulations, §1.56(a).

I hereby claim foreign priority benefits under Title 35, United States Code, §119 of any foreign application(s) for patent or inventor's certificate or of any PCT international application(s) designating at least one country other than the United States of America listed below and have also identified below any foreign application(s) for patent or inventor's certificate or any PCT international application(s) designating at least one country other than the United States of America filed by me on the same subject matter having a filing date before that of the application(s) of which priority is claimed:

## PRIOR FOREIGN/PCT APPLICATION(S) AND ANY PRIORITY CLAIMS UNDER 35 U.S.C. 119:

COUNTRY (If PCT indicate PCT)	APPLICATION NUMBER	DATE OF FILING (day month year)	PRIORITY CLAIMED UNDER 35 USC 119
			<input type="checkbox"/> YES <input type="checkbox"/> NO
			<input type="checkbox"/> YES <input type="checkbox"/> NO
			<input type="checkbox"/> YES <input type="checkbox"/> NO
			<input type="checkbox"/> YES <input type="checkbox"/> NO
			<input type="checkbox"/> YES <input type="checkbox"/> NO

## Combined Declaration For Patent Application and Power of Attorney (Continued)

ATTORNEY'S DOCKET NUMBER

16238-4-4

I hereby claim the benefit under Title 35, United States Code, §120 of any United States application(s) or PCT international application(s) designating the United States of America that is/are listed below and, insofar as the subject matter of each of the claims of this application is not disclosed in that/those prior application(s) in the manner provided by the first paragraph of Title 35, United States Code, §112, I acknowledge the duty to disclose material information as defined in Title 37, Code of Federal Regulations, §1.56(a) which occurred between the filing date of the prior application(s) and the national or PCT international filing date of this application:

## PRIOR U.S. APPLICATIONS OR PCT INTERNATIONAL APPLICATIONS DESIGNATING THE U.S. FOR BENEFIT UNDER 35 U.S.C. 120:

U.S. APPLICATIONS		STATUS (Check one)		
U.S. APPLICATION NUMBER	U.S. FILING DATE	PATENTED	PENDING	ABANDONED
08/059,681	10 May 1993			
PCT APPLICATIONS DESIGNATING THE U.S.				
PCT APPLICATION NO.	PCT FILING DATE	U.S. SERIAL NUMBERS ASSIGNED (if any)		

**POWER OF ATTORNEY:** As a named inventor, I hereby appoint the following attorney(s) and/or agent(s) to prosecute this application and transact all business in the Patent and Trademark Office connected therewith. (List name and registration number)

James M. Heslin, Reg. No. 29,541

Send Correspondence to: James M. Heslin  
TOWNSEND AND TOWNSEND KHOURIE AND CREW  
One Market Plaza, 20th Floor, Steuart St. Tower  
San Francisco, California 94105  
United States of America

Direct Telephone Calls to:  
(Name and telephone number)

James M. Heslin  
415/326-2400

201	FULL NAME OF INVENTOR	FAMILY NAME EGGERS	FIRST GIVEN NAME Philip	SECOND GIVEN NAME E.
	RESIDENCE & CITIZENSHIP	CITY Dublin	STATE OR FOREIGN COUNTRY Ohio	COUNTRY OF CITIZENSHIP US
	POST OFFICE ADDRESS	POST OFFICE ADDRESS 5366 Reserve Drive	CITY Dublin	STATE & ZIP CODE/COUNTRY Ohio 43017
202	FULL NAME OF INVENTOR	FAMILY NAME THAPLIYAL	FIRST GIVEN NAME Hira	SECOND GIVEN NAME V
	RESIDENCE & CITIZENSHIP	CITY Mountain View	STATE OR FOREIGN COUNTRY California	COUNTRY OF CITIZENSHIP US
	POST OFFICE ADDRESS	POST OFFICE ADDRESS 1111 Doyle Place	CITY Mountain View	STATE & ZIP CODE/COUNTRY CA 94040
203	FULL NAME OF INVENTOR	FAMILY NAME	FIRST GIVEN NAME	SECOND GIVEN NAME
	RESIDENCE & CITIZENSHIP	CITY	STATE OR FOREIGN COUNTRY	COUNTRY OF CITIZENSHIP
	POST OFFICE ADDRESS	POST OFFICE ADDRESS	CITY	STATE & ZIP CODE/COUNTRY

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under section 1001 of Title 18 of the United States Code, and that such willful false statements may jeopardize the validity of the application or any patent issuing thereon.

SIGNATURE OF INVENTOR 201

*Philip E. Eggers*  
DATE  
30 May 1995

SIGNATURE OF INVENTOR 202

*H. Thapliyal*  
DATE  
26 May 1995

SIGNATURE OF INVENTOR 203

DATE

ASSIGNMENT OF PATENT APPLICATION

JOINT

WHEREAS, Philip E. Eggers of 5366 Reserve Drive, Dublin, Ohio 43017, Hira V. Thapliyal of 1111 Doyle Place, Mountain View, California 94040, hereinafter referred to as "Assignors," are the inventors of the invention described and set forth in the below identified application for United States Letters Patent:

Title of the Invention: **METHODS AND APPARATUS FOR SURGICAL CUTTING**

Date(s) of execution of Declaration: 26 and 30 May 1995

Filing date: \_\_\_\_\_ Serial No.: \_\_\_\_\_; and

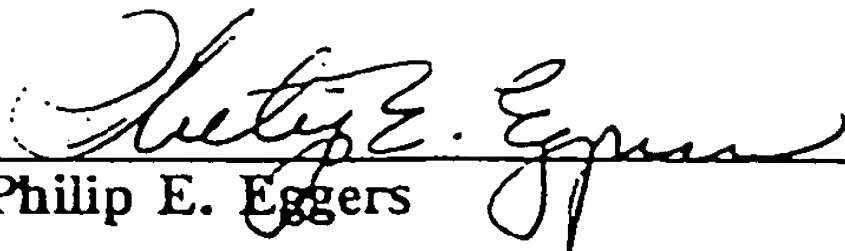
WHEREAS, Thapliyal and Eggers Partners a California general partnership, located at 1111 Doyle Place, Mountain View, California 94040, hereinafter referred to as "Assignee," is desirous of acquiring an interest in the invention and application and in any Letters Patent and Registrations which may be granted on the same;

For good and valuable consideration, receipt of which is hereby acknowledged by Assignors, Assignors have assigned, and by these presents do assign to Assignee all right, title and interest in and to the invention and application and to all foreign counterparts (including patent, utility model and industrial designs), and in and to any Letters Patent and Registrations which may hereafter be granted on the same in the United States and all countries throughout the world, and to claim the priority from the application as provided by the Paris Convention. The right, title and interest is to be held and enjoyed by Assignee and Assignee's successors and assigns as fully and exclusively as it would have been held and enjoyed by Assignors had this assignment not been made, for the full term of any Letters Patent and Registrations which may be granted thereon, or of any division, renewal, continuation in whole or in part, substitution, conversion, reissue, prolongation or extension thereof.

Assignors further agree that they will, without charge to Assignee, but at Assignee's expense, (a) cooperate with Assignee in the prosecution of U.S. Patent applications and foreign counterparts on the invention and any improvements, (b) execute, verify, acknowledge and deliver all such further papers, including patent applications and instruments of transfer and (c) perform such other acts as Assignee lawfully may request to obtain or maintain Letters Patent and Registrations for the invention and improvements in any and all countries, and to vest title thereto in Assignee, or Assignee's successors and assigns.

IN TESTIMONY WHEREOF, Assignors have signed their names on the dates indicated.

Date: 30 May 1995

  
Philip E. Eggers

STATE OF \_\_\_\_\_

COUNTY OF \_\_\_\_\_

On \_\_\_\_\_, before me, \_\_\_\_\_ (here insert name and title of the officer), personally appeared **Philip E. Eggers**, personally known to me (or proved to me on the basis of satisfactory evidence) to be the person(s) whose name(s) is/are subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their authorized capacity(ies), and that by his/her/their signature(s) on the instrument the person(s), or the entity upon behalf of which the person(s) acted, execute the instrument.

WITNESS my hand and official seal.

Signature \_\_\_\_\_ (Seal)

Date: 26 May 1995

Hira V. Thapliyal  
Hira V. Thapliyal

STATE OF \_\_\_\_\_

COUNTY OF \_\_\_\_\_

On \_\_\_\_\_, before me, \_\_\_\_\_ (here insert name and title of the officer), personally appeared Hira V. Thapliyal, personally known to me (or proved to me on the basis of satisfactory evidence) to be the person(s) whose name(s) is/are subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their authorized capacity(ies), and that by his/her/their signature(s) on the instrument the person(s), or the entity upon behalf of which the person(s) acted, execute the instrument.

WITNESS my hand and official seal.

Signature \_\_\_\_\_ (Seal)

ASSIGN.MRG 5/94



ASSIGNMENT

WHEREAS, THAPLIYAL AND EGGERS PARTNERS, a California General Partnership, located at 1192 Volti Lane, Los Altos, California 94024, U.S.A. (formerly located at 1111 Doyle Place, Mountain View, California 94040, U.S.A.), hereinafter referred to as "ASSIGNOR," is the owner of all rights in certain new and useful improvements as described and set forth in the below-identified application for United States Letters Patent:

Title of Invention:                      Methods and Apparatus for Surgical Cutting

International Appln. No.:    PCT/US94/05168

International Filing Date:    May 10, 1994

U.S. Appln. No.:                      08/446,767

U.S. Filing Date:                      June 2, 1995

WHEREAS, ARTHROCARE CORPORATION, a Delaware corporation, located at 595 North Pastoria Avenue, Sunnyvale, California 94086, U.S.A., hereinafter referred to as "ASSIGNEE," wants to acquire an interest in the invention and application and in any Letters Patent and Registrations that may be granted on the same;

For good and valuable consideration, receipt of which is hereby acknowledged by Assignor, Assignor has assigned, and by these presents does assign to Assignee all right, title and interest in and to the invention and application and to all foreign counterparts (including patent, utility model and industrial designs), and in and to any Letters Patent and Registrations which may hereafter be granted on the same in the United States and all countries throughout the world, and to claim the priority from the application as provided by the Paris Convention. The right, title and interest is to be held and enjoyed by Assignee and Assignee's successors and assigns as fully and exclusively as it would have been held and enjoyed by Assignor had this assignment not been made, for the full term of any Letters Patent and Registrations which may be granted thereon, or of any division, renewal, continuation in whole or in part, substitution, conversion, reissue, prolongation or extension thereof.

Assignor further agrees that Assignor will, without charge to Assignee, but at Assignee's expense, (a) cooperate with Assignee in the prosecution of U.S. Patent applications and foreign counterparts on the invention and any improvements, (b) execute, verify, acknowledge and deliver all such further papers, including patent applications and instruments of transfer and (c) perform such other acts as Assignee lawfully may request to obtain or maintain Letters Patent and Registrations for the invention and improvements in any and all countries, and to vest title thereto in Assignee, or Assignee's successors and assigns.

IN TESTIMONY WHEREOF, this Assignment is executed this 28 day of February, 1996.

BY: [Signature]  
Hira V. Thapliyal  
TITLE: Partner

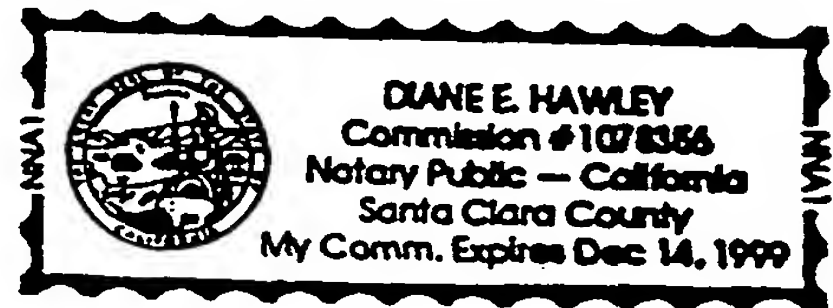
STATE OF CALIFORNIA

COUNTY OF SANTA CLARA

On FEB. 28 1996, before me, DIANE E. HAWLEY, Notary Public, personally appeared Hira V. Thapliyal, personally known to me (or proved to me on the basis of satisfactory evidence) to be the person(s) whose name(s) is/are subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their authorized capacity(ies), and that by his/her/their signature(s) on the instrument the person(s), or the entity upon behalf of which the person(s) acted, execute the instrument.

WITNESS my hand and official seal.

Signature: [Signature] (Seal)



BY: [Signature]  
Philip E. Eggers  
TITLE: Partner

STATE OF CALIFORNIA

COUNTY OF SANTA CLARA

On FEB. 28 1996, before me, DIANE E. HAWLEY, Notary Public, personally appeared Philip E. Eggers, personally known to me (or proved to me on the basis of satisfactory evidence) to be the person(s) whose name(s) is/are subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their authorized capacity(ies), and that by his/her/their signature(s) on the instrument the person(s), or the entity upon behalf of which the person(s) acted, execute the instrument.

WITNESS my hand and official seal.

Signature: [Signature] (Seal)

